

Cold wave tonight.  
Fair today and Sunday.

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## CARDOZO HALTS BOARD'S TRIAL WITH A SUIT

Declares They Have No  
Right to Sit As His  
Judges.

Adverse Decision Will  
Mean the Death of the  
Educational Body.

Hearing Is Postponed  
Until District Supreme  
Court Gives Decision.

The trial of Francis L. Cardozo, which was adjourned on last Wednesday afternoon to be resumed by the Board of Education at noon today, was summarily halted by Cardozo.

Before any motion was put, Attorney Stuart McNamara, for the board, announced that Cardozo had this morning filed in the District Supreme Court a petition in equity against the members of the board, alleging that it had no authority to proceed with the trial of the case.

Mr. Justice Claybaugh had announced that this petition would be heard on Friday next. Inasmuch as the board is a creation of the District Supreme Court, Mr. McNamara stated that while it was not imperative that the trial be halted he believed it proper that the board should not attempt to proceed with the trial until the court had handed down a decision on this petition of the respondent, which virtually paralyzes the nature of an injunction. It was therefore moved to adjourn until Monday week at 11:30.

### Aims at Board's Existence.

Cardozo's petition in equity seeks practically to declare the Board of Education out of existence. He recites among other things that they "claim and profess to be in control of the District schools under and by virtue of a certain pretended act of Congress known as public act No. 254, purported to have been approved June 20, 1906."

He further alleges that under this "pretended" act the judges of the District Supreme Court were given the authority to name the members of the board, and that the judges forthwith named the nine members of the board who are made defendants to the petition, and that the "defendants" thereafter assumed and undertook to organize and have been since claiming to be in authority.

He further recites that this "pretended" board appointed William E. Chancellor as school superintendent and Winfield Montgomery as assistant superintendent of colored schools. This brings the complaint up to the time of the charges, but before demurring to them he recites that he has been employed in various capacities in the schools since 1890, is capable and has given satisfaction.

The point is made that the rules and by-laws he is alleged to have violated, 22, 23, 24, 25, and 26, were adopted before the present board took control.

### Attacks Jurisdiction.

He then refers to his demurrer made at the trial last Wednesday attacking the jurisdiction of the board, and referring to the act under which the present board was created: "That the said act in so far as it professes to provide for the appointment of said board is unconstitutional and void, in that it undertakes to vest in a branch or branches of the Judiciary Department of the United States the appointment of officers executive in their character, and having no place in or relation to the said Judiciary branch." It is further alleged that the school system is a part of the administrative or executive branch of the District and has no connection with the Judiciary, and the act so providing is illegal.

The petition closes with the prayer that the defendant board be enjoined from trying Cardozo upon the charges preferred and that it also be restrained from claiming to be or acting as the Board of Education, and that the complainant's position as supervising principal be not interfered with.

None of the members of the board cared to discuss this latest phase of the matter except to state that the case seemed to be an interminable one, and became more complicated with each step.

Should the courts finally uphold the Cardozo petition, in one sense of the word it must declare the present board illegal and out of existence, the tenure of the petition apparently being to this end.

The members of the board are each required to appear before the District Supreme Court on Friday next and make formal answer to the prayer of Cardozo, petitioning that the existence of the board be declared void and illegal and without authority to hear the charges preferred against him or to otherwise act in school matters.

## THE WEATHER REPORT.

Steamers departing today for European ports will have brisk northerly winds with snow to the Grand Banks.

### TEMPERATURE.

2 p. m. today..... 28  
Sun sets today..... 5:15  
Sun rises tomorrow..... 7:09

### TIDE TABLE.

High tide today..... 6:05 p. m.  
Low tide today..... 12:25 p. m.

HARPER'S PERRY, W. Va., Jan. 26.—Both rivers clear.

Violets, 25 Cents Per Bunch,  
at Kramer's, the Florist, 396 F st. n.w.  
—Adv.

## FIREMEN GIVEN BATTLE BY FLAMES THAT SWEEP CAPITAL'S WATER FRONT



GENERAL VIEW OF THE RUINED DISTRICT, LOOKING FROM THE WHARVES.

## NAVAL INQUIRY IS SIDETRACKED IN THE SENATE

Stormy Opposition to  
Hale Resolution Aimed  
at the Alleged  
Lobby.

Senator Hale's resolution, directing the Secretary of the Navy to investigate the naval officers who, it is alleged, are violating the President's order and the naval regulations against soliciting support for legislation, was sidetracked this morning. After a sharp debate it was referred to the Committee on Naval Affairs, of which Senator Hale is chairman.

A number of Senators attacked the resolution in decided terms. Senator Dick of Ohio took the ground that the memorandum accompanying the resolution did not indicate that an offense had been committed by the naval officers or was in conflict with the naval regulations or the order of the President. He declared he would much regret if naval or military officers should in any way be prohibited from exercising the right of petition.

He pointed out that the naval personnel bill did not relate to increased pay.

Senator Hale read a part from a letter he had received, in which the writer, a naval officer, stated he was interested in the bill from a standpoint of personal ambition.

Senator Daniel of Virginia also opposed the resolution.

Senator Heyburn of Idaho was against it.

Senator Spooner of Wisconsin submitted an amendment, striking out of the resolution all reference to the executive order, leaving the resolution in the form in which it referred only to a violation of the naval regulations.

The amendment was accepted by Senator Hale and the resolution referred.

## CONDITION SERIOUS OF RODRIGUEZ

Librarian of Board of American Republics Stricken  
With Paralysis.

Hon. Jose Ignacio Rodriguez, chief translator and librarian of the International Board of American Republics, lies at his home, 1240 Vermont avenue, in a precarious condition as the result of a stroke of paralysis sustained several days ago.

Mr. Rodriguez was one of the representatives of the United States Government at the Paris peace conference, and he is regarded as one of the very ablest of international lawyers.

Chesapeake & Ohio Ry.

C. & O. trains leaving Washington 5:20 p. m. and 11:30 p. m. are now running through to all W. Va. and Ky. points, Cincinnati, Louisville, Indianapolis, Chicago, and St. Louis, with through Pullman sleepers. Dining cars a la carte. —Adv.

## PAY INCREASE IS PRESIDENT'S PLAN FOR NAVY

Chief Executive Interested  
in Bill to Raise Salaries of Men Who  
Work.

Increase of pay for the employees of the Government was again the subject of a White House conference today. The President sent for Representative Davis of Minnesota, whose bill he seems to believe will correct to a great extent the inequalities of the present pay schedules, and with him went over the ground very carefully.

"The next thing to do is to get after the Appropriations Committee," the President is said to have remarked to the author of the measure after their consultation.

"The President wished to be informed on certain features of the bill," said Mr. Davis, before he left the White House. "He told me that he appreciates the bill in general, and wishes to add to it certain departments of the service that I have not so far touched. One of these is the Navy. He believes that a great many inequalities of compensation exist in the Navy, and is anxious that that department shall be included if Congress takes up the matter."

"The President is chiefly interested in securing better pay for the lower and medium grades. He believes that many of the higher priced officials and employees already get enough. It is the man who is under the 'mass higher up' who does the work, but fails to get the pay, that he would like to see receive a larger check at the end of every fifteen days."

## WILLIAMS LOSES TO "UNCLE JOE"

Speaker Forces Democratic  
Leader to Accept Committee Appointee.

Speaker Cannon has won out in his scrap with minority leader Williams over filling the vacancy on the Judiciary Committee. When the House met today Uncle Joe announced the appointment of Representative Reid of Arkansas to the committee. Williams first wanted Representative Webb of North Carolina to go on the committee, but the Speaker named Swager Sweeney (Democrat, of Kentucky). The latter declined to serve when appointed over Williams. At first Williams hesitated to name another man, insisting on Webb's appointment, but finally told Uncle Joe that the Democrats would accept Reid.

## "DOPE BILL" IS TABLED IN NORTH CAROLINA HOUSE

RALEIGH, N. C., Jan. 24.—The so-called "dope bill," prohibiting the sale of soda water fountains of drinks containing caffeine, strychnine, cocaine, coal-tar products, or narcotics, was tabled in the house following an adverse committee report.

\$1.25 to Baltimore and Return

Via Pennsylvania Railroad, every Saturday and Sunday. All regular trains except the "Congressional Limited." Ticket good to return until Sunday night. —Adv.



FIREMEN FIGHTING THE FLAMES AFTER HEWING AN OPENING THROUGH THE WALL OF LATHS.

## Where?

A poor Washington baroness is forced to offer for sale a lock of a dead Pope's hair. Illustrated page story

In The Sunday Times.

A Washington inventor's device seven times restores life to a rabbit that had seven times ceased to breathe. Full facts, particulars, and pictures

In The Sunday Times.

A Russian girl stripped, laid on a table, and whipped by Russian soldiers to make her "confess" something of which she knew nothing. Told by a Russian who was on the spot (and illustrated)

In The Sunday Times.

Stricken Kingston, once the headquarters of all the pirates in the world. A mighty interesting illustrated story

In The Sunday Times.

These are but a few of the features that will make The Sunday Times tomorrow the most interesting newspaper that will be sold in Washington.

Buy The Sunday Times.

## Mystery in Conflagration Destroying Lumber Yards; Loss May Exceed \$75,000

### ESTIMATE OF LOSSES.

Johnson & Wimsatt.....	\$50,000
Johnson Brothers.....	20,000
Martin Wiegand.....	5,000

At noon today twenty-six streams of water played upon what was left of a fire that swept along the wharves from Twelfth street to Thirteen-and-a-half street, doing a damage variously estimated at from \$75,000 to \$160,000.

It is probable that another day will pass before the flames will be thoroughly extinguished.

Fire Marshal Nicholson and other officials today went over the four-acre area traversed by the fire trying to discover the origin of it. The flames started between one of Johnson & Wimsatt's sheds and Johnson Brothers' kindling mill. The fire marshal failed to discover the cause of the fire, but is not inclined to attribute it to incendiaries.

### LUMBER PLANT ALMOST WIPED OUT.

Sweeping along the river front from Twelfth to Thirteen-and-a-half streets, the flames almost completely wiped out the big lumber yard of Johnson & Wimsatt, and caused considerable damage to the coal and wood yard of Johnson Bros.

The fire was discovered shortly after 11 o'clock last night by Special Watchman Rogers. Running to the box at Twelfth and Water streets, Rogers turned in an alarm. When engine company No. 13, located at Tenth and G streets southwest, arrived the yards were a mass of flames. Three more alarms were sent in, and every piece of apparatus in the city responded, the suburban companies coming to the heart of the city for an emergency call.

(Continued on Second Page.)

## THAW FRENZIED BY PHYSICIANS WATCHING HIM

Prisoner Protests Against  
Alienists Keeping Tab  
on His Mental  
State.

Dephin Delmas Thinks  
May MacKenzie Will  
"Queer" Case With  
Her Frivolity.

Truxtun Beale, Important  
Defense Witness, Arrives in New York.

NEW YORK, Jan. 26.—Harry Thaw made a vigorous protest to his counsel today against the State's alienists who sit within the rail of the court and watch him carefully for the purpose of detecting evidences of insanity. Thaw declared that his rights were being invaded, and he should not be forced to undergo such an examination against his will.

District Attorney Jerome is convinced that the defense will enter a plea of emotional insanity. He has arranged that each day the alienists shall sit within the rail, where they can watch every move and action of Thaw. The defendant when he first became aware of what was being done seemed somewhat amused, but he quickly became annoyed when he realized that his every mental phase was being jotted down.

The State's alienists, who are making this courtroom examination, are Drs. Allen MacLean Hamilton, Austin Flint, Carlos MacDonell, and W. L. Mahon. Not a move or gesture or the slightest facial expression escapes the alienists, who have arranged themselves in such position in court that Thaw cannot avoid being seen.

### They Compare Notes.

Frequently the insanity experts compare notes, which will be embodied in their later testimony before the jury.

While counsel for Harry Thaw has made denial that serious differences exist between Mrs. Evelyn Nesbit Thaw and the other members of the Thaw family, one of the counsel, Lawyer Dephin Delmas is today reported to have declared that he will withdraw from the case unless Miss May MacKenzie, the actress friend of Mrs. Evelyn Thaw, remains away from the courtroom. Lawyer Delmas is said to have characterized Miss MacKenzie's conduct in court as light and frivolous and likely to prejudice the minds of the court and jury.

The members of the Thaw family never notice Miss MacKenzie, and not once during the trial have they given her as much as a passing notice. They have objected strongly to Miss MacKenzie's presence. The chorus girl has long been the intimate friend of Evelyn Nesbit Thaw, and it was to her home that the artist model led the night of the shooting. Practically ignored by the Thaw family, Mrs. Evelyn Nesbit Thaw requested Miss MacKenzie to be with her during the trial. The young wife and the chorus girl sit together during the proceedings and it is to Miss MacKenzie that Evelyn Nesbit Thaw always turns when some point is made in the trial.

### Important Witness Arrives.

Truxtun Beale, an important witness for Harry Thaw, has arrived in New York and will appear when wanted. Mr. Beale is one of the most important witnesses for the defense. Beale, with Thomas McCaleb, a California man, was with Harry Thaw and his wife the night of the tragedy. The four had dined together at Cafe Martin, where Evelyn observed White sitting at a nearby table and the passed a note to her husband informing him of White's presence. After the dinner Thaw and his wife went over to Madison Square Garden, where the young Pittsburgher later killed White. Mr. Beale would not discuss the case today in any of its phases.

Harry Thaw told his counsel today that he was more than pleased with the jurors selected and that he was more hopeful than ever of being acquitted.

### Eight Pittsburgh Witnesses.

One of the most important facts in the defense of Harry K. Thaw became known for the first time today, when a suite of rooms were leased in a big uptown hotel for eight witnesses coming from Pittsburgh. The positive statement is made that Thaw called on Stanford White the night before he killed him and exacted from him a pledge that he would never again meet or communicate with Evelyn Nesbit Thaw.

That Thaw had met White and obtained from him this pledge, less than twenty-four hours before the tragedy, has been a carefully guarded secret of the defense. At dinner time, four hours before White was killed, Thaw intercepted a note from White, asking young Mrs. Thaw to meet him.

The defense is "from the moment Thaw read that note and realized that White had broken his pledge and was still pursuing his young bride, his mind

### Through Service Resumed.

Floods in Ohio Valley having subsided C. & O. trains now running through with sleepers direct to Cincinnati, Louisville, Indianapolis, Chicago, and St. Louis. Dining cars a la carte. —Adv.